

IN THE UNITED STATES DISTRICT

Court

FOR THE DISTRICT OF DELAWARE.

Gbeke M. Awala,

Plaintiff,

vs

Civil No. 05-472-KAJ

Attorney Samuel C. Stetson,

Defendant,

To Benefit:

Criminal No: 05901-KAJ.

U.S.A. vs Awala

MOTION TO PRECLUDE INSTITUTIONAL TRANSFER.

MOTION FOR RECONSIDERATION.

JAN 23 2006

U.S. DISTRICT COURT
DISTRICT OF DELAWARE

Now Comes, the Plaintiff MR. Gbeke M. Awala, appearing in Pro Se Status, and respectfully moves, the honorable Court to reconsider the Plaintiff's Contentions and Complaint in regards to the Defendants Conducts during the Plaintiff's Criminal Trial, Plaintiff have Sufficient Personal Injury in fact, based on Conflict of Interest Sufficient to Support Constitutional Standing Understandable in Law to disqualify the Counsel Stetson Sitting as the leading or Standby Counsel in the Plaintiff's Criminal Proceedings. In Support thereof Plaintiff states as follows:

Your honor, When I received the Court's Order dated 13th day of January, 2006, an Order Dismissed without Prejudice, for failure to Comply with the Court's December 1, 2005, Order (D-12). Although the Plaintiff mailed some type of an Incomplete Letter directing the Clerk to close the Case, in the hope that

there can be mutual Agreement and effective assistance,
 but after Considering the performance and
 Incident that failed adequate preparation for the
 trial and Some defenses presented by the Plaintiff
 after a 1 day only Visitation made by Counsel
 Stetson on December 28, 2005, here at Salem County
 Corrections, NJ, the alleged Counsel's professional
 Conduct was dishonest and reckless and yet created
 Several fault during the Trial to which the Court
 was aware of often Caution him to stop refusing the
 Plaintiff's direct Control over the administration of
 the Criminal Trial. Your honor I realized how
 Impossible it would be for me to depend on this Counsel,
 he Suggested I prepare questions and he will direct me,
 then refused or led me astray ninety-nine and
 seeks straying me asking me to Convert the Trial
 In to Plea, three Times, Assuredly he killed my Spirit
 the very 1st day and having Cast his betrayal, openly
 restore Some Issues about my desires to Cross-
 examine myself and deny my Integrity openly everyone
 In the Court the prosecuting Team heard our argument, this
 is on offenses; Sir, there was Conflict of Interest,
 attorney Stetson, as I watch through Video Cast,
 while the Volume was Totally off or really low, to
 the point when Your honor Causes the Jury to Confirm
 each Individuals Jurors decision on Verdicts, I heard
 your Voice Your Honor, I heard no other Voices I cannot
 1. In tell if the Verdict was Unanimous or otherwise,
 I did not even heard the very first Reading of the
 Verdict Your honor, from when the Guilty Verdict was
 announced — Therefore, Stetson exchanges documents,
 under Attorney-Client Privileges, he betrayed me Your
 honor, he frustrated me while I took the Stand and
 made at least 3 enough Opinion, Objection and Side
 bar, In front of the Jury, Your honor, I want A
new Trial By my own Self, knowing that I have
 direct and free Control of the strings and can properly
 Question witness Cross- or Direct and Rest my Case.
 (2).

OTHER ERRORS OR MISTAKE MADE

Your Honor, I was watching the Video Tvu as placed in the cell, when the Juries appeared to here the Court's opinion regarding whether the production of Sufficient access or Meaningful Access so that I can locate Records, witnesses and rendering a positive result to prove I'm an American Citizen, there are families whom I had provided Streeton and his Investigator The Jones families, whom in 1997, at my short Visit In Canal City at recognizes me and supported multiplicity of opinions and another white Tall man, Assuredly Your honor, I'm been betrayed by Streeton, and we did not Adequately prepared for the Trial. People who knew me in diapers could witness.

Error from The Court: Your honor All I wanted to do was Cry, and I Cried, believe me I never wanted to show the Jury the passport, now Streeton injected that suggestion, at the Time he gave me the Copies, Your honor wanting me to flash it on Agent Gonzalez, Your honor, I told You From the First, there cannot be any wrong Action, If I were to have Conducted that Case Just as Beth defended the Government, Your honor despite 10 to 15 document received in Evidence in light most favorable to the Government the Jury sought opportunity to address my U.S. Citizenship Claim, Your honor

(3)

I'm sick, I have no income support, I have extreme hardship, my Baby mum in Canada, she's on Medicaid and my son is only 5, her family wrote a letter and said I'm American.

Yes, so when the Vital Statistics in Florida first indicated I should check other Vital Statistics, I checked Philadelphia, and Chicago because I was in Philadelphia FDC Philadelphia. However, my Sting on Florida remained Formed and on Chicago Steady, not New York or Somewhere else, because I knew the documents I saw indicated specifically a Prima facie proof that Florida was my authentic Birth Place, Yes I was treated for leukemia in Roy Lester U.S. Virgin Island, but I rage and disagree that I could have been Born there. My father's death was in Chicago.

Your Please do not shut the door on me, I am your Child, you represent my father because you are acting under the Color of the federal Law and as a Judge you possess higher tomb of power — Your honor I Seek a New Trial without Prejudice and Under the Spirit of Truth in me and the Court's Indulgence, I will do valiantly, I was born in this Country Your honor, believe me, this is the work of God and you know it, you know I was born here Your honor, my Testimony is true, It should have been admitted to the Jury to In-addition give Some Consideration to it, but I figure your Sudden Change based on my Cry under the depressing Situation in totality of Circumstances, In which I could have handle differently, If I had been fully permitted in Pro Se.

I am an American Your honor. I testify of it, and I heard you told the Jury not to Consider it.

Dated: 1/20/06 (4) Gbetee Awato

1/25/06

Awala vs. Stelton No. 05-472-KAJ.
U.S.A. vs Awala no. 04-901-KAJ.Some Memorandum OF LAW:

Admission of attorneys to Practice:

Federal disciplinary standards do not preempt States from disciplining attorneys for improper acts performed in federal courts.

Berger v. Cuyahoga County Bar Ass'n (Ohio) 1993, 983 F.2d 718.

In this Case: The Court should discipline Attorney Stelton for his Conduct in the defense of the matter before the Court and prosecution of the plaintiff Mr. Gbeka Awala.

Attorney Can have no sufficiently personal injury in fact, based on Conflict of Interest status of her opposing Counsel, sufficient to support Constitutional Standing to move disqualify that adversary. Colyer v. Smith, C.D. Cal. 1999, 50 F. Supp. 2d 966.

Your honor I suffer actual or imminent, not conjectural or hypothetical injury. When and since the Court had attached this man, I Complaint, if I'm driving from Wilmington to Dover, I will know what speed to regulate and what turns to take, this mans silent words and fishing expedition will cause me more pain than the jury's verdict knowing that I can do better by pro se and follow the Court's cautionary objections, but when he interferes, then I'm confused and Resolved, In actuality I have experienced STRICKLAND's Prong as a result of this Counsel Stelton.

(1)

Clients demand for accounting of legal fees was not yet ripe for adjudication, where clients demand was integral part of malpractice claim which was similarly unripe on ground that clients had not yet sustained actual injury.

Boerger v. Levin, E.D. Pa. 1993, 812 F.Supp. 564.

In this case: Your honor please allot some funds for me directly even if its \$500.00 I must pay for Copies and other imminent needs, this was the reason for Avala vs Fed. Pub. def. D. del.

Your honor, my Complaint of financial support to phone people, witnesses within the U.S. call persons to go hear and there and gather together information for the defense, your honor Streeton have not done any Cognizable Job warranting attorneys fees of great value pursuant to Title 18 U.S.C. 3006A CJA, he has infringed me, and rendered me Disabled, on the basis of his failure to quickly embrace that \$500 Substantial to place direct phone calls to this Agencies obtain fax Confirmation and have them sent directly to the District Court as his offense. I want the (IOLTA funds) if CJA is not applicable to me in Pro Se status. To search for my Biological Mother and her family if I can find her within this zone in Florida. See Custodial Taking Laws: Supremacy clause, of funds representing money that Federal Agencies owe to American Citizens whose Whereabouts were unknown, which funds were in Custody of the U.S. Treasury pursuant to Fed. Statute. State of Ariz v. Bowsher 1991 935 F.2d 332, 290 US App. DC. 166.

(2-)

Wherefore, Your honor, kindly grant me the Complaint's Motion to reconsider, I have actual injury see entire Records. U.S.A v. Awala, 04901-KAJ. Steeton tells me to Object and when I say no, he aggravates me so I get mad, I lose Control of picking Governments Crosses, that's not Right Your honor •

MOTION TO HALT OR PRECLUDE ANY
TRANSFER FROM SALEM COUNTY
TO FDC PHILADELPHIA.

Your honor Agent Denny (U.S Marshall) Supervisor, Delaware at my suggestion and his awoken affirmation, I want to take back that request to be Transferred from here, Your honor I cannot afford to mis mails and I can't got no ways to pay for stamps, that's one only privilege here at Salem free 3 mails per week, and In addition I was beaten and oppressed by the Bop staff and I have notified Regional office regarding Awala vs Anderson, et al and I do not want them to Retaliate on that, and besides if I'm gonna get a New trial, is better for me to be here at Salem is not the best place but is sufficient right now in its close proximity to the Delaware Court, Your honor during Trial I did not mention Awala vs Anderson nor mention Awala vs DRBAPD, therefore, One hand wash another, no Complaint as to the few bruises I suffered in case of handcuffing, me after the Jury Trial Cry incidents, 1/18/06. Your honor Just have Confidence in me

(3).

If I do my Case by my Self, I shall not
 Stumble, If I have money to pay for
 Cost in the Salem library, I'll get work
 done on Timely fashion, everything is money,
 that's why we have argued the mailing
 issue, A big Brown envelop was sent back
 to me from the Court in Delaware through
 Philadelphia, All Content was removed and
 Considered that I mailed it like that, that's
 Funny, yet the envelop Shows a \$3.53 (By weight)
 stamped envelop U.S. postal Service Dated

Jan 04, 06 postal Code marked 19801 addressed
 to the Clerks office District of Delaware —

Returned without the Content, Suspicious,
 but, as I said the Foundation of that
 Trial was unjust and rewitted into Mislanguage
 of Justice — the Court has power to
 exercise Control over Court room no doubt
 but there is Cause and effect and it's all
 based on my lacking Full Control to
 present and Collect Evidence on my
 own behalf under the Sixth Amendment
 as guaranteed under U.S. Const. Your Strickon
 was my downfall and he fell me with

Inrelevant Objections, to me to Object Some
 Standing Documents which can reasonably
 be known by a lay person I wrote them,
 However, at that time it was what I
 knew unequivocally about my past ~~and~~
 Unlike Since November 2003, and Dec 2003,
 the Ghana Passport was obtained — Indicated
 my trustworthiness and why the Court should have
 Considered Rule 807 - Residual Exception to Citizenship,
 Rebut Prior Statements. You hear the Verdict
 was Reprising, I no you have your view I
 respect that as the Judge, but Offer me
 another chance to prove my Innocence Solely. Thanks

Dated: 1/20/06

(4)

Gbeke Anata ⁱⁿ Adv